

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 56th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON APPROPRIATIONS**

**Call to Order:** By **CHAIRMAN TOM ZOOK**, on March 29, 1999 at 9:00 A.M., in Room 312 - 2 Capitol.

#### **ROLL CALL**

##### **Members Present:**

Rep. Tom Zook, Chairman (R)  
Rep. Joe Quilici, Vice Chairman (D)  
Rep. Steve Vick, Vice Chairman (R)  
Rep. Beverly Barnhart (D)  
Rep. Ernest Bergsagel (R)  
Rep. Peggy Bergsagel (R)  
Rep. Rosalie (Rosie) Buzzas (D)  
Rep. John Cobb (R)  
Rep. Stan Fisher (R)  
Rep. Dick Haines (R)  
Rep. Royal Johnson (R)  
Rep. Betty Lou Kasten (R)  
Rep. Matt McCann (D)  
Rep. Red Menahan (D)  
Rep. Ray Peck (D)  
Rep. Joe Tropila (D)  
Rep. John Witt (R)

**Members Excused:** None.

**Members Absent:** Rep. Lila Taylor (R)

**Staff Present:** Joanne Gunderson, Committee Secretary  
Taryn Purdy, Legislative Fiscal Division

**Please Note:** These are summary minutes. Testimony and discussion are paraphrased and condensed. Minutes were recorded on a Sony BI-85 machine; references are measured in inches rather than minutes.

##### **Committee Business Summary:**

Hearing(s) & Date(s) Posted: SB 301, SB 359, 3/23/1999  
Executive Action: SB 406, SB 359

HEARING ON SB 301

Opening Statement by Sponsor:

Sen. Tom Keating, SD , presented SB 301.

{Tape : 1; Side : A; Approx. Time Counter : 0 - 40}

Proponents' Testimony: None.

Opponents' Testimony: None.

Informational Testimony: None.

Questions from Committee Members and Responses:

{Tape : 1; Side : A; Approx. Time Counter : 40 - 94}

Closing by Sponsor:

{Tape : 1; Side : A; Approx. Time Counter : 94 - 140}

EXECUTIVE ACTION ON SB 406

Motion: REP. JOHNSON moved that SB 406 BE CONCURRED IN.

Motion: REP. JOHNSON moved that SB 406 BE AMENDED ~~EXHIBIT~~ (aph70a01)

{Tape : 1; Side : A; Approx. Time Counter : 140 - 150}

Discussion:

{Tape : 1; Side : A; Approx. Time Counter : 150 - Tape : 2; Side : A; Approx. Time Counter : 176 Comments : the amendment included changing the termination date to July 1, 1999.}

Vote: Motion carried unanimously.

{Tape : 2; Side : A; Approx. Time Counter : 176 - 183; Comments : Further action on SB 406 was suspended for a later time.}

HEARING ON SB 359

Opening Statement by Sponsor:

Sen. Eve Franklin, SD 21, presented SB 359.

{Tape : 2; Side : A; Approx. Time Counter : 183 - 257}

Proponents' Testimony:

~~EXHIBIT~~ (aph70a02)

Joe Mazurek, Attorney General, Department of Justice ~~EXHIBIT~~ (aph70a03)

{Tape : 2; Side : A; Approx. Time Counter : 257 ~~EXHIBIT~~ (aph70a04)}

Nancy Ellery, Department of Public Health and Human Services  
{Tape : 2; Side : A; Approx. Time Counter : 389 - 398}

Jim Smith, American Cancer Society/American Lung Association  
{Tape : 2; Side : A; Approx. Time Counter : 398 - 423}

Opponents' Testimony:

Mike Fellows, Libertarian Party **EXHIBIT**(aph70a05)  
{Tape : 2; Side : A; Approx. Time Counter : 423 - Side : B;  
Approx. Time Counter : 004}

Informational Testimony: None.

Questions from Committee Members and Responses:

{Tape : 2; Side : B; Approx. Time Counter : 4 - 89}

Closing by Sponsor:

{Tape : 2; Side : B; Approx. Time Counter : 89 - 109}

EXECUTIVE ACTION ON SB 406 CONTINUED

Motion: REP. PECK moved THE PUBLIC SERVICE COMMISSION AMENDMENTS  
TO PAGE 20, LINES 3 AND 4 of SB 406.  
{Tape : 2; Side : B; Approx. Time Counter : 109 - 137}

Discussion:

{Tape : 2; Side : B; Approx. Time Counter : 137 - 235}

Vote: Motion carried unanimously (15-0, Reps. Kasten, Taylor and  
Buzzas were absent).

{Tape : 2; Side : B; Approx. Time Counter : 235 - 240}

Motion/Vote: REP. QUILICI moved TO DEFINE DEFAULT SUPPLIER ON  
LINE 26 OF PAGE 20. Motion carried unanimously.

{Tape : 2; Side : B; Approx. Time Counter : 240 - 264}

Motion: REP. E. BERGSAGEL moved TO ACCEPT THE MONTANA POWER  
AMENDMENTS 1 - 43 WITH ADJUSTMENTS AS NEEDED.

{Tape : 2; Side : B; Approx. Time Counter : 264 - 274}

Discussion:

{Tape : 2; Side : B; Approx. Time Counter : 274 - 287; Comments :  
The amendment was altered to include amendments 1-41 rather than  
1-43.}

Vote: Motion carried unanimously.

*{Tape : 2; Side : B; Approx. Time Counter : 287 - 291}*

**Motion:** REP. JOHNSON moved that SB 406 BE CONCURRED IN AS AMENDED.

**Discussion:**

*{Tape : 2; Side : B; Approx. Time Counter : 291 - 320}*

**Vote:** Motion carried unanimously.

*{Tape : 2; Side : B; Approx. Time Counter : 320 - 329}*

**EXECUTIVE ACTION ON SB 359**

**Motion/Vote:** REP. PECK moved that SB 359 BE CONCURRED IN. Motion carried 12-3 with P. Bergsagel, Cobb, and Vick voting no.

*{Tape : 2; Side : B; Approx. Time Counter : 329 - 350}*

**EXECUTIVE ACTION ON SB 301**

**Discussion:**

*{Tape : 2; Side : B; Approx. Time Counter : 350 - 368}*

**Motion:** REP. E. BERGSAGEL moved that SB 301 BE CONCURRED IN.

**Discussion:**

*{Tape : 2; Side : B; Approx. Time Counter : 368 - 398; Comments : Rep. E. Bergsagel withdrew the motion. Rep. Witt suggested taking action on SBs 302 and 220, but it was postponed for a later time.}*

**ADJOURNMENT**

Adjournment: 11:30 A.M.

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REP. TOM ZOOK, Chairman

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JOANNE GUNDERSON, Secretary

TZ/JG

**EXHIBIT** (aph70aad)